

IC 13-22-12

Chapter 12. Hazardous Waste Fees

IC 13-22-12-1**Establishment**

Sec. 1. Notwithstanding fees established under IC 13-16-1, the hazardous waste:

- (1) permit application fees;
 - (2) annual operation fees; and
 - (3) prices for purchasing manifests;
- contained in this chapter are established.
As added by P.L.1-1996, SEC.12.

IC 13-22-12-2**Fee schedule; application fees**

Sec. 2. For hazardous waste, the application fees are as follows:

New Permit Application	
	Fee
Land Disposal	\$40,600
Incinerator (per unit)	\$21,700
Storage	\$23,800
Treatment	\$23,800
Permit Renewal or Class 3 Modification	
Land Disposal	\$34,000
Incinerator	\$21,700
Storage	\$17,200
Treatment	\$17,200
Class 2 Modification	
Class 2 Modification	\$ 2,250

As added by P.L.1-1996, SEC.12.

IC 13-22-12-3**Fee schedule; annual operation fees**

Sec. 3. For hazardous waste, the annual operation fees are as follows:

	Fee
Land Disposal	\$37,500
Incinerator (per unit)	\$10,000
Storage	\$ 2,500
Treatment	\$10,000
Generator	\$ 1,565
Postclosure Activity	\$ 1,500
Groundwater Compliance	
Sampling at active facilities (per well)	\$ 1,000
	Fee
Land Disposal	\$37,500
Incinerator (per unit)	\$10,000
Storage	\$ 2,500

Treatment	\$10,000
Generator	\$ 1,565
Postclosure Activity	\$ 1,500
Groundwater Compliance	
Sampling at active facilities (per well)	\$ 1,000

As added by P.L.1-1996, SEC.12.

IC 13-22-12-4 Repealed

(Repealed by P.L.143-2000, SEC.8.)

IC 13-22-12-5

Remittance of fee required; denial of permit

Sec. 5. (a) When a person files a hazardous waste permit application with the department, the person must remit an application fee to the department.

(b) If a person does not remit an application fee to the department, the department shall deny the person's application.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-6

Accrual of annual operation fees

Sec. 6. Hazardous waste annual operation fees begin accruing January 1 each year. The department shall assess the fees not later than January 15 of that year.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-7

Remittance of fees or installments

Sec. 7. A person must remit a hazardous waste annual operation fee or an installment established by the department under IC 13-16-2 to the department not more than thirty (30) days after the date the fee is assessed or on the date the installment is due.

As added by P.L.1-1996, SEC.12. Amended by P.L.130-1996, SEC.6; P.L.2-1997, SEC.46.

IC 13-22-12-8

Delinquency charge; revocation of permit

Sec. 8. (a) In addition to the penalties described under:

- (1) IC 13-30-4-1;
- (2) IC 13-30-4-2; and
- (3) IC 13-30-5-1;

if a person does not remit a hazardous waste annual operation fee or an installment established by the department under section 14 of this chapter not more than sixty (60) days after the date the fee is assessed or not more than thirty (30) days after the date the installment is due, the person shall be assessed a delinquency charge equal to ten percent (10%) of the hazardous waste annual operation fee or ten percent (10%) of the installment, whichever is applicable. The delinquency charge is due and payable sixty (60) days after the

date the hazardous waste annual operation fee is assessed or thirty (30) days after the date the installment is due.

(b) If a person does not remit a hazardous waste annual operation fee or an installment established by the department under IC 13-16-2 and any applicable delinquency charge not more than ninety (90) days after the date the hazardous waste annual operation fee is assessed or not more than sixty (60) days after the date the installment is due, the department may revoke the person's permit. However, before the department may revoke the permit:

(1) not earlier than sixty (60) days after the date the hazardous waste annual operation fee is assessed or not earlier than thirty (30) days after the date an installment is due; and

(2) not later than thirty (30) days before the department revokes the permit;

the department must deliver a written notice to the person that describes what fees and delinquency charges are due and that indicates that the department may revoke the person's permit for nonpayment after thirty (30) days.

As added by P.L.1-1996, SEC.12. Amended by P.L.130-1996, SEC.7; P.L.2-1997, SEC.47.

IC 13-22-12-9

Annual operation fees; applicability

Sec. 9. Annual operation fees established under this chapter apply to facilities that:

- (1) have received a permit from the department; or
- (2) are operating under interim status or otherwise manage hazardous waste subject to regulation under the following:

(A)
IC 13-22-2
t h r o u g h
IC 13-22-8.
(B)
IC 13-22-13
t h r o u g h
IC 13-22-14.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-10

Annual operation fees; requirement under certain circumstances

Sec. 10. Regardless of a person's rate of generation, a person must pay a generator annual operation fee if the person accumulates more than:

- (1) six thousand (6,000) kilograms of hazardous waste; or
- (2) one (1) kilogram of acutely toxic waste;

onsite at any time during a year.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-11**Groundwater compliance sampling fees**

Sec. 11. Groundwater compliance sampling fees established under this chapter apply to groundwater monitoring wells in existence at an operating land disposal facility at the time an annual operation fee concerning the land disposal facility is assessed.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-12**Payment of all fees by person or facility in multiple fee categories**

Sec. 12. A person or facility that is described in more than one (1) category under this chapter must pay all applicable fees.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-13**Payment and deposit of fees and delinquency charges**

Sec. 13. The fees and delinquency charges collected under this chapter:

- (1) are payable to the department; and
- (2) shall be deposited in the environmental management permit operation fund established by IC 13-15-11-1.

As added by P.L.1-1996, SEC.12.

IC 13-22-12-14**Repealed**

(Repealed by P.L.2-1997, SEC.89.)